

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

EDWIN JAMES BITTNER *
*
Plaintiff *
*
v. * **CIVIL ACTION NO.**
* **04-12465-MLW**
OPTOS INC., *
Defendant *
*

PLAINTIFF'S CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2) the undersigned counsel affirms that prior to filing the motion to amend the complaint in the captioned matter he conferred with defendant's counsel and attempted in good faith but unsuccessfully to resolve the matter at issue.

Respectfully submitted,
EDWIN JAMES BITTNER
By His Attorney,

s/Howard I. Wilgoren
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served upon the attorney of record for each party by first class mail this 5th day of October 2005.

s/Howard I. Wilgoren
HOWARD I WILGOREN

